United Nations A/C.6/64/SR.2

General Assembly
Sixty-fourth session

Official Records

Distr.: General
21 October 2009

Original: English

Sixth Committee

Summary record of the 2nd meeting
Held at Headquarters, New York, on Tuesday, 6 October 2009, at 3 p.m.

Chairman: Mr. Benmehidi ..... (Algeria)

Contents

Agenda item 106: Measures to eliminate international terrorism

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

09-54373 (E)

Please recycle

The meeting was called to order at 3.10 p.m.

Agenda item 106: Measures to eliminate international terrorism (A/64/37, A/64/161 and Add.1)

1. **Mr. Perera** (Sri Lanka), Chairman of the Ad Hoc Committee established by General Assembly resolution 52/210 of 17 December 1996, introducing the report of the Ad Hoc Committee (A/64/37), said that, at its thirteenth session, the Ad Hoc Committee had held two plenary meetings on 29 June and 2 July 2009, as well as a round of informal consultations and other informal contacts on the draft comprehensive convention on international terrorism. Informal consultations had likewise taken place on the question of convening a high-level conference under United Nations auspices to formulate a joint organized response by the international community to terrorism in all its forms and manifestations.

2. The atmosphere during those discussions had been very encouraging; delegations had demonstrated their determination to advance the negotiating process in order to finalize the draft convention without delay. Draft article 18 remained the key to unlocking the impasse, and discussion of the text presented by the Coordinator at the Ad Hoc Committee's eleventh session (A/62/37, annex, para. 14) had continued.

3. Negotiations on the outstanding issues concerning the draft convention were in their ninth year but, since 2007, the Sixth Committee had had before it a proposal which went a long way towards bridging the gap between viewpoints and contained elements for a viable and balanced package. The international community expected that the long negotiating process would be brought to a successful conclusion. It was essential to avoid failure in that important legislative task mandated by the General Assembly.

4. **The Chairman** said that completion of the draft convention would be a significant contribution to the legal framework for combating international terrorism. He urged delegations to pursue negotiations on the outstanding issues in good faith in order that the Committee might finalize its work on that important instrument.

5. **Mr. McLay** (New Zealand), speaking on behalf of the CANZ group of countries (Canada, Australia and New Zealand), said that terrorism remained a real and deadly threat to communities around the world and had directly affected citizens of the CANZ countries. The hotel bombings in Jakarta in July 2009 and the suicide bombing of the World Food Programme (WFP) office in Islamabad the previous day had served as a reminder of the global menace of terrorism. Recalling the Symposium on Supporting Victims of Terrorism held in 2008, he emphasized the importance of remembering those who had lost their lives or their loved ones to terrorism.

6. The CANZ countries supported the United Nations Global Counter-Terrorism Strategy and urged all States to continue their efforts to implement it. They also applauded the efforts of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and Associated Individuals and Entities (the 1267 Committee) to improve its procedures for the listing and de-listing of terrorist entities, in accordance with Security Council resolution 1822 (2008). The CANZ countries also supported the work of the Counter-Terrorism Implementation Task Force.

7. Meeting international counter-terrorism obligations could place significant burdens on small developing States, such as those of the Pacific Islands Forum, and he called on the Security Council and other United Nations bodies to be mindful of their special circumstances. He particularly welcomed the work of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC) in assisting with the drafting of national counter-terrorism legislation and in developing a comprehensive online database of related legal resources.

8. The CANZ countries valued the 16 universal counter-terrorism instruments and urged all States to implement them. They also supported the current work of the International Civil Aviation Organization (ICAO) to develop protocols that would update the Convention for the Suppression of Unlawful Seizure of Aircraft and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. It was vital to close the remaining gaps in the international legal framework for countering terrorism. The CANZ countries therefore urged renewed efforts to conclude the draft comprehensive convention on international terrorism.

9. While there had been some success in disrupting terrorist activities in the Asia-Pacific region, the Jakarta bombings and other incidents demonstrated the

need for vigilance and ongoing cooperation. The CANZ countries were committed to continuing their programmes of assistance in building counter-terrorism capacity, particularly for those States in the front line. Australia's efforts were focused in South-East Asia and encompassed a wide range of issues such as law enforcement, legal frameworks, terrorism financing and transport and border security. Australia also had a special unit dedicated to working with Asian, Pacific and African countries to develop legislation implementing international counter-terrorism instruments and related Security Council resolutions. New Zealand funded initiatives in South-East Asia and the Pacific that supported the development of law enforcement capability and the drafting of national legislation, including laws that paved the way for ratification of the universal counter-terrorism instruments.

10. **Mr. Le Luong Minh** (Viet Nam), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that international terrorism continued to pose serious threats to international peace and security and inflict suffering on innocent people. The attacks of July 2009 in Jakarta had caused numerous deaths and injuries and had drawn condemnation both from the United Nations Security Council and ASEAN foreign ministers. The ASEAN member States strongly condemned terrorism in all its forms and manifestations and reiterated their call for further efforts to implement the Global Counter-Terrorism Strategy. They continued to support the negotiations aimed at finalizing the draft comprehensive convention on international terrorism.

11. In the past year, the ASEAN States had endeavoured to strengthen the role of ASEAN in tackling global challenges in the South-East Asian region. The ASEAN Political-Security Community Blueprint, adopted at the Fourteenth ASEAN Summit in March 2009, set out specific action to be taken, such as working towards the entry into force of the ASEAN Convention on Counter-Terrorism and the ratification of the international counter-terrorism instruments, promoting implementation of the ASEAN Comprehensive Plan of Action on Counter-Terrorism and supporting development initiatives aimed at addressing the root causes of terrorism and the conditions conducive to terrorism.

12. At the forty-second ASEAN Ministerial Meeting in July 2009, ASEAN foreign ministers had renewed their commitment to combating terrorism and extremism in the region by empowering moderate sectors of society and promoting interfaith dialogue. All ASEAN members had expressed support for the Philippines' hosting of the special Non-Aligned Movement (NAM) Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace in December 2009.

13. At the sixteenth meeting of the ASEAN Regional Forum in July 2009, a Work Plan on Counter-Terrorism and Transnational Crime for 2009-2010 had been adopted. It identified illicit drugs, bioterrorism, biosecurity, cybersecurity and cyberterrorism as areas of priority and provided for capacity-building workshops, technical assistance and training courses.

14. The seventh Asia-Europe Meeting (ASEM) Conference on Counter-Terrorism had been held in Manila in June 2009 with the participation of representatives of ASEM partners and relevant international bodies. The Conference had recognized the leading role of the United Nations in the fight against terrorism and reaffirmed its support for the Global Counter-Terrorism Strategy and the further institutionalization of the Counter-Terrorism Implementation Task Force. While emphasizing the primary role of States in implementing the Strategy, the Conference had recognized that ASEM and other international, regional and subregional organizations and forums could contribute by disseminating best practices. The Conference had also welcomed the completion of the UNODC model law against terrorism.

15. The fourth ASEAN-Japan Counter-Terrorism Dialogue had been held in Viet Nam in August 2009. Participants had considered the status of 11 counter-terrorism projects, 3 of which were being implemented in ASEAN countries with funding from Japan and 8 of which were being considered for funding. They had also discussed the possibility of extending the Dialogue beyond 2011.

16. At the twenty-ninth ASEAN Chiefs of Police (ASEANAPOL) Conference in Viet Nam in May 2009, participants had agreed to step up cooperation in combating terrorism and related crimes through training, information-sharing, the promotion of community engagement in tackling terrorism and the provision of assistance in preventing the financing of terrorism and in dealing with the aftermath of terrorist attacks.

17. Viet Nam was currently serving on the Security Council and as a Vice-Chairman of the Security Council Committee established pursuant to resolution

1373 (2001) (the Counter-Terrorism Committee), whose work it consistently supported.

18. **Mr. Heller** (Mexico), speaking on behalf of the Rio Group, said that, since terrorism was a transnational phenomenon, it could be combated only through international cooperation, in which the United Nations must play the central role. In that context, the Rio Group firmly supported the Global Counter-Terrorism Strategy, which took a holistic approach to combating terrorism. The Counter-Terrorism Implementation Task Force should be institutionalized within the Secretariat so that Member States would have an opportunity to interact with it regularly in the context of the General Assembly and to provide it with political guidance. Regional and subregional organizations were also carrying out important work in implementing the Strategy; cooperation among them should be strengthened.

19. In order to prevent and suppress terrorism, it was essential to identify and eliminate factors which might prompt terrorist acts, including political, ethnic, racial and religious intolerance and social and economic disparities between nations. States must also work to prevent the financing and preparation of terrorist acts by improving legal cooperation and the exchange of information between police forces and financial intelligence units. Counter-terrorism measures must always comply strictly with international law, especially human rights law, international humanitarian law and international refugee law. Only measures that were consonant with the Charter of the United Nations and other relevant treaties would be successful and enjoy the support of the international community.

20. All Member States should do their utmost to build on the progress made at the thirteenth session of the Ad Hoc Committee to finalize the draft comprehensive convention on international terrorism. Delegations needed to show flexibility and accept that the final text might not accommodate all the wishes of every delegation. He commended the proposals made by the Coordinator in an attempt to bridge the gaps between delegations. He also expressed the hope that it would soon be possible to convene a high-level conference on terrorism.

21. **Mr. Charles** (Trinidad and Tobago), speaking on behalf of the Caribbean Community (CARICOM), said that the CARICOM States associated themselves with the statement to be delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement. The Ad Hoc Committee had made laudable efforts to finalize the draft comprehensive convention on international terrorism but, regrettably, some issues were still unresolved. International terrorism posed a daunting threat to humanity, and the timely adoption of the draft convention was essential in order to combat it. A universally acceptable legal definition of terrorism was particularly important in order to prevent impunity for the perpetrators of terrorist acts. Since no consensus had been reached thus far on such a definition, it would be opportune to convene a high-level conference under the auspices of the United Nations with a view to progressing towards that goal.

22. The Caribbean had not been spared the dire consequences of terrorism. The CARICOM States therefore abhorred any attempt to harbour the perpetrators of terrorism and reiterated their previous calls for the prosecution of those criminals responsible for the hijacking and bombing of an airliner in the Caribbean Sea more than three decades previously, which had led to the deaths of several innocent persons. At the same time, international human rights law and international humanitarian law must be respected in the fight against terrorism.

23. No cause could justify terrorism, and the CARICOM States condemned it in all its forms and manifestations. However, as former colonies, they firmly believed that a distinction should be made between acts of terrorism and the legitimate struggle of peoples under foreign occupation or colonial or alien domination to exercise their right to self-determination, in accordance with the Charter of the United Nations and international law.

24. The CARICOM States fully supported the Global Counter-Terrorism Strategy and remained committed to the implementation of relevant Security Council resolutions, including resolutions 1373 (2001) and 1540 (2004). Nonetheless, the reporting obligations under those resolutions should be reviewed, since they sometimes placed an inordinate burden on small States. The support of the international community was essential if small developing nations such as the CARICOM members were to participate effectively in the global fight against terrorism. In that regard, he welcomed the workshops which had been held in the Caribbean region over the past year with the aim of developing the capacity of officials responsible for counter-terrorism measures at the national level.

25. Despite their limited resources, the CARICOM States continued to pursue regional initiatives to combat terrorism, such as the CARICOM Maritime and Air Space Security Cooperation Agreement. The CARICOM members also attached great importance to the major international counter-terrorism conventions. For example, Trinidad and Tobago had recently acceded to the International Convention for the Suppression of the Financing of Terrorism. In addition, a number of CARICOM States had enacted domestic legislation, or were in the process of doing so, in order to fulfil their obligations under those conventions.

26. The United Nations must continue to take the lead in tackling the threat of terrorism. Failure to take a multilateral approach would only engender mistrust.

27. **Mr. Jomaa** (Tunisia), speaking on behalf of the African Group, said that the Group unequivocally condemned terrorism, which could never be justified on any grounds. It should also not be associated with any particular religion, race, faith or culture. The United Nations remained the most appropriate forum in which to coordinate the global response to terrorism, which would remain ineffective unless steps were taken to address its root causes, such as poverty, injustice and the denial of the right to self-determination of people under foreign occupation. Human rights and the rule of law must also be respected in the fight against terrorism. In that regard, the African Group called on the Security Council sanctions committees, in particular the 1267 Committee, to streamline their listing and de-listing procedures in order to ensure due process and transparency.

28. African States were making huge efforts to meet their obligations under the relevant international conventions and Security Council resolutions. A number of them had set up appropriate legal frameworks for combating terrorism but were still facing difficulties in meeting their legislative and operational commitments at the national level. He therefore urged international partners to fulfil their pledges of technical assistance and to support the African Centre for Study and Research on Terrorism. He welcomed the regional workshops and seminars organized by the Centre in cooperation with CTED with the aim of identifying common technical assistance needs across the continent. The most recent event, held in Algiers in June 2009, had focused on enhancing the law-enforcement and counter-terrorism capacities of West African countries.

29. Africa and its people had long experience of terrorist atrocities, which as early as 1999 had led to the adoption of the Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, supplemented in 2002 by the Algiers Plan of Action on the Prevention and Combating of Terrorism in Africa. However, such regional instruments, as well as the universal sectoral instruments, needed to be complemented by a comprehensive international convention. Every effort should therefore be made to resolve the outstanding issues relating to the draft convention. It should cover all forms of terrorism, including State terrorism, and should also incorporate an internationally recognized definition of terrorism that distinguished clearly between terrorist acts and the struggle for self-determination of people under foreign occupation. African leaders had endorsed the proposal to convene a high-level conference under the auspices of the United Nations to formulate an international response to terrorism, which should not be linked to the conclusion of negotiations on the draft convention. He reiterated the African Group's support for the Global Counter-Terrorism Strategy and said that efforts should be made to ensure comprehensive and balanced implementation of its four pillars. Lastly, he welcomed the work of the Counter-Terrorism Implementation Task Force and the recent steps taken to provide it with the necessary budgetary and administrative support.

30. **Mr. Adi** (Syrian Arab Republic), speaking on behalf of the Organization of the Islamic Conference (OIC), said that the OIC members strongly condemned all acts of terrorism, irrespective of their motivation, objectives, forms and manifestations, and were convinced that it could never be justified. In that connection, he drew attention to the Final Communiqué of the OIC Summit held in Dakar in March 2008; to Resolution No. 15/36-POL on combating international terrorism, adopted at the thirty-sixth session of the OIC Council of Foreign Ministers, held in Damascus in May 2009; and to the Joint Communiqué of the Annual Coordination Meeting of Foreign Ministers of the OIC Member States, held in New York in September 2009. Terrorism should not be associated with any religion, race, faith, theology, values, culture, society or group; in an increasingly globalized world, there was a growing need to build bridges among cultures and peoples.

31. Only through a coordinated approach would the international community be able to combat terrorism

effectively. It was necessary to address its root causes, including the unlawful use of force, international disputes, denial of the right of peoples living under foreign domination to self-determination, political and economic injustices, and political marginalization and alienation. The Global Counter-Terrorism Strategy should be implemented in all its aspects and reviewed regularly.

32. The OIC members reaffirmed their determination to make every effort to finalize the draft comprehensive convention on international terrorism by attempting, inter alia, to resolve the outstanding issues relating to the legal definition of terrorism, particularly the distinction between terrorism and the struggle for self-determination of peoples under foreign occupation, which was enshrined in international law, and the scope of the acts covered by the draft convention. He reiterated the previous OIC proposal on the question of scope and expressed the willingness of the OIC members to continue consideration of the Coordinator's package proposal.

33. The OIC members reiterated their call for the holding of a high-level conference under the auspices of the United Nations to formulate a joint response by the international community to terrorism in all its forms and manifestations and to conclude an agreed definition of terrorism. They also reiterated their support for the establishment of an international counter-terrorism centre under United Nations auspices, as well as for efforts to develop an international counter-terrorism code of conduct.

34. **Mr. Al Habib** (Islamic Republic of Iran), speaking on behalf of the Non-Aligned Movement, said that the Movement unequivocally condemned terrorism as a crime and rejected all its forms and manifestations, including acts in which States were directly or indirectly implicated. In that context, the members of the Movement reaffirmed their support for General Assembly resolution 46/51 of 27 January 1992 and other pertinent resolutions of the United Nations.

35. Terrorism was a blatant violation of international law, international humanitarian law and human rights, including the right to life. Terrorist acts endangered States' territorial integrity and stability, as well as national, regional and international security, and had an adverse impact on economic and social development. Terrorism should not be confused with the legitimate struggle of peoples to achieve self-determination and national liberation. Moreover, the brutalization of peoples under foreign occupation must be denounced as the worst form of terrorism. Terrorism should not be associated with any religion, nationality, civilization or ethnic group, and those attributes should not be used to justify measures such as profiling and breaches of privacy.

36. All States should honour their obligation under international law and international humanitarian law to combat terrorism by prosecuting or extraditing the perpetrators and by preventing them from organizing, instigating or financing terrorist acts against other States from within or outside their territory. In addition, States themselves should refrain from organizing, instigating, abetting, financing or participating in such acts in the territory of other States and from supplying weapons or arms which could be used for that purpose. They should also refuse to provide political, diplomatic, moral or material support for terrorism and ensure that the perpetrators, organizers or facilitators of terrorist acts did not abuse refugee or any other legal status. All States which had not yet done so should consider becoming parties to the international instruments on combating terrorism.

37. The Movement rejected the threat or use of force by any State against any non-aligned country on the pretext of combating terrorism or to pursue political objectives, including by characterizing a State directly or indirectly as a sponsor of terrorism. It also called on the Security Council sanctions committees to streamline their listing and de-listing procedures in order to ensure due process and transparency. It would welcome the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism and to identify its root causes. The draft comprehensive convention on international terrorism should be finalized, and he called on all States to cooperate in resolving the outstanding issues.

38. The Movement reaffirmed its support for the Global Counter-Terrorism Strategy and for the proposal to establish an international counter-terrorism centre. It also supported the initiative to draft an international counter-terrorism code of conduct pending the conclusion of the draft comprehensive convention.

39. **Mr. Lundkvist** (Sweden), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and

Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Georgia, the Republic of Moldova and Ukraine, said that terrorism was criminal and unjustifiable in all its forms and in all circumstances and could not claim to represent any culture or religion. Combating terrorism must remain a priority for the United Nations, the only world body qualified to lead and coordinate that struggle. The European Union also supported the counter-terrorism action taken by the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO). It called on all Member States to become parties to all the United Nations counter-terrorism conventions and protocols and commended the Terrorism Prevention Branch of UNODC for the technical assistance which it provided to States to support their implementation of those instruments.

40. The European Union fully supported the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), which formed the core of the Organization's response to terrorism, and called on Member States to implement fully those and other relevant resolutions. He was pleased to note that the Security Council had strengthened human rights and due process considerations in the United Nations sanctions regimes and welcomed the adoption of Security Council resolution 1822 (2008), which had been an important step in improving procedures for the imposition of sanctions and the listing and de-listing of individuals and entities. Efforts in that regard should be continued. The resolution to be adopted by the Security Council by the end of the year was opportune in that respect.

41. Too often, the experiences of the victims of terrorism were ignored, as terrorists themselves dominated media coverage. Victims' voices must be heard, not only because it was morally right to hear about the dreadful consequences of terrorism, but also because victims' stories often exposed the hollow claims of terrorists. All Member States should adopt appropriate measures to help victims cope with the aftermath of terrorist attacks.

42. The European Union welcomed the reaffirmation of the Global Counter-Terrorism Strategy during the review held in September 2008 and renewed its call for the implementation of the Strategy on the basis of a global and integrated approach that showed respect for the rule of law and involved all stakeholders. Moreover, measures to combat terrorism must comply with international law, including human rights law, refugee law and humanitarian law. The European Union also encouraged deeper integration of human rights concerns into the work of the Counter-Terrorism Committee and its Executive Directorate, especially with regard to preliminary implementation assessments.

43. The European Union welcomed the important work of the Counter-Terrorism Implementation Task Force, which must be provided with the budgetary and administrative resources necessary for its work on implementation of the Strategy. All the entities that made up the Task Force, including those concerned with development issues, should engage fully in its activities, both in New York and in the field.

44. The draft convention on international terrorism should become a vital instrument in joint counter-terrorism efforts. The discussions held at the July session of the Ad Hoc Committee, particularly on the package proposal put forward by the Coordinator in 2007, had been promising. The question of convening an international conference on combating terrorism should be considered only after agreement on the draft convention had been reached. Because terrorism fed on prejudice and ignorance, the European Union would continue its efforts to strengthen dialogue and understanding between cultures, which must involve all actors: States, regional organizations and civil society.

45. **Mr. Askarov** (Uzbekistan) said that his country condemned terrorism in all its forms and manifestations, regardless of where it was committed, by whom, and for what purpose. His region, in common with the entire international community, was plagued by the criminal endeavours of international terrorist groups operating on a global scale and using new technology. The threat of terrorism could be successfully countered only through international cooperation and by using collective mechanisms that strictly conformed to international law and avoided double standards. The causes of terrorism must be tackled along with its consequences. There were many radical and extremist centres which cultivated an ideology of hatred, poisoning young minds and forming a breeding-ground for future terrorists.

46. It was no secret that international terrorist groups were seeking to gain access to weapons of mass destruction. A key instrument for preventing the spread

of nuclear weaponry was the Treaty on the Non-Proliferation of Nuclear Weapons. On 21 March 2009, the Treaty on a Nuclear-Weapon-Free Zone in Central Asia had entered into force, making a major contribution to regional and global security.

47. The activities of terrorists were financed chiefly by drug trafficking. Of grave concern was the growth in illicit narcotics production in Afghanistan, the proceeds of which helped to fund the purchase of weapons and ammunition. It was becoming increasingly clear that the problem of Afghanistan could not be resolved by armed force alone. Efforts must be pursued, under United Nations auspices, to solve the country's acute social and economic problems, and to provide employment and sound governance while respecting the traditional religious and cultural values of the multi-ethnic population.

48. The United Nations must coordinate international efforts to combat terrorism. He expressed strong support for the Global Counter-Terrorism Strategy, and for closer partnership between the United Nations and the Shanghai Cooperation Organization (SCO). The chief focus of the work of SCO was on combating international terrorism, illicit drug trafficking and organized crime. Regular contact should be established between the Regional Anti-Terrorist Structure of SCO in Tashkent and the relevant United Nations bodies, such as the Counter-Terrorism Committee. By that means, information could be exchanged about new trends in international terrorism, the methods of terrorist organizations and the measures taken internationally to combat terrorism.

49. **Mr. Hernández-Milian** (Costa Rica) said that his country condemned terrorism unequivocally, in all its forms, and undertook to combat it by all lawful means available. Costa Rica had ratified most of the international conventions against terrorism and had introduced national legislation to permit the freezing of assets suspected of playing a role in financing terrorist activities.

50. The United Nations must assume a leadership role in the fight against terrorism, through a single centralized policy for the prevention and punishment of terrorist crimes. His Government supported the Global Counter-Terrorism Strategy. He looked forward to the results of the work of the Counter-Terrorism Implementation Task Force and its working groups, and the outcome of efforts to improve communication and coordination among the various United Nations bodies dealing with terrorism. Costa Rica was co-sponsoring the international workshop of national counter-terrorism focal points shortly to be held in Vienna, which would focus on improving linkages between national and global counter-terrorism efforts, in accordance with Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004). Costa Rica had also contributed to international cooperation through its chairmanship of the Security Council Committee established pursuant to resolution 1540 (2004) over the past two years. Measures adopted to combat terrorism must conform to the Charter of the United Nations and international law, including international human rights law, international refugee law and international humanitarian law.

51. He welcomed the Committee's success in bringing to fruition the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of Acts of Nuclear Terrorism and the International Convention for the Suppression of the Financing of Terrorism. He urged the speedy conclusion of the draft comprehensive convention on international terrorism.

52. **Mr. Sial** (Pakistan) condemned the suicide bomb attack launched the previous day on the WFP office in Islamabad, in which five WFP staff members had been killed. Pakistan unequivocally rejected terrorism in all its forms and manifestations, and the senseless killing of civilians anywhere in the world for whatever reason.

53. There was no simple solution to the indoctrination of suicide bombers, the distortion of ideology and economic marginalization. The international community must not deny the real causes of terrorism, nor should it confine itself to operational or political measures alone in order to combat it. Long-term global peace and security must not be sacrificed to short-term national interests.

54. His Government fully supported the Global Counter-Terrorism Strategy, which offered a comprehensive approach to fighting terrorism. That comprehensive approach was being followed in Pakistan, which had launched a public awareness campaign about the atrocities committed by terrorists and was working to care for and rehabilitate victims of terrorism. His Government had challenged terrorists hiding in the most remote and inaccessible mountains of the world. It had conducted a successful operation in

the region of Malakand to drive terrorists from their hideouts and bring them to justice. Its law enforcement activities in fighting terrorism were grounded in respect for human rights and international norms. The operation in Malakand, including Swat, had resulted in the internal displacement of over 2 million people, and his Government was grateful to the United Nations agencies which had rehabilitated them.

55. Pakistan had deployed over 150,000 troops on its western border in order to stop cross-border movement by the Taliban and Al-Qaida. In the broader international quest for peace and security, Pakistan's naval forces were taking an active part in anti-piracy operations in the Gulf of Aden. Pakistan was also encouraging its friends to find solutions for regional and international conflicts which had long remained unresolved.

56. It would be a daunting task to implement all four pillars of the Global Counter-Terrorism Strategy in a balanced manner. For that purpose, Member States must provide the Counter-Terrorism Implementation Task Force with regular budgetary resources.

57. Pakistan was a party to 11 universal and 2 regional counter-terrorism instruments. It had also enacted eight national instruments to combat terrorism: the Pakistan Arms Ordinance, the Surrender of Illicit Arms Act, the Terrorist Affected Areas (Special Courts) Act, the Anti-Terrorism Act, the Control of Narcotic Substances Act, the Anti-Narcotics Force Act, the Pakistan Madrassah Education Board Ordinance and the Anti-Money-Laundering Ordinance.

58. While supporting the early adoption of a consensus text of the draft comprehensive convention on international terrorism, his delegation had a number of outstanding questions. Why was the draft called "comprehensive", given that it did not aim to provide an overarching, comprehensive definition of terrorism? When would such a definition be attempted? Why were the issues in the draft relating to international humanitarian law not being addressed in the language of international humanitarian law? Why were some Member States reluctant to repeat relevant provisions of the Charter of the United Nations in the operative parts of the draft? Lastly, why was the question of the role of military forces in peacetime simply being ignored?

59. His delegation supported the proposal of King Abdullah Bin Abdulaziz Al-Saud of Saudi Arabia to establish an international centre to combat terrorism, under the auspices of the United Nations; the proposal by the delegation of Egypt for a high-level conference on counter-terrorism; and the proposal by the delegation of Tunisia to develop an international counter-terrorism code of conduct within the United Nations framework of counter-terrorism measures.

60. **Ms. Salasini** (Zambia) said that her Government was committed to the global fight against terrorism and related activities. It would do its best in future to report on its implementation of paragraph 10 (a) of the Declaration on Measures to Eliminate International Terrorism annexed to General Assembly resolution 49/60 and was in the process of ratifying the various United Nations instruments on combating terrorism. At the regional level, Zambia was a member of the Eastern and Southern African Anti-Money-Laundering Group (ESAAMLG), formed in 1999. The Group worked in conjunction with other international organizations to combat money-laundering by studying emerging patterns of money-laundering in the region, developing institutional and human resource capacities to tackle it, and coordinating technical assistance where necessary. Following the events of 11 September 2001, ESAAMLG had expanded the scope of its activities to include countering the financing of terrorism.

61. In 2007 Zambia had enacted an Anti-Terrorism Act, through which it cooperated with other countries to combat terrorism. It had also established an Anti-Corruption Commission and a Drug Enforcement Commission, and was in the process of establishing a financial intelligence unit to monitor all suspicious financial transactions that might be intended to support terrorist activities either within Zambia or elsewhere.

62. Developing countries needed assistance with regard to training in biometrics, security standards and dealing with the threat of nuclear, biological and chemical terrorism, as well as modern equipment to detect and counter terrorist activities. She urged the international community to provide that assistance.

63. She was concerned at the continued failure of Member States to reach consensus on a comprehensive convention on international terrorism. The few remaining differences on the draft must be overcome, so that agreement could be reached on a legal definition of terrorism which would recognize the legitimate struggle waged by peoples for their

liberation or self-determination in accordance with the principles of international law.

64. **Mr. Sea** (Cambodia) said that his country strongly condemned terrorism in all its forms and manifestations, and was strongly committed to countering, preventing and suppressing terrorist acts in accordance with the Charter of the United Nations, international law and all relevant resolutions of the United Nations. The international community must tackle terrorism through cooperation and coordination. The Global Counter-Terrorism Strategy was a vital tool for that purpose. Constructive dialogue, mutual understanding and communication between societies and nations were also of great importance in preventing and containing the spread of terrorism.

65. According to the CTED delegation which had visited Cambodia in May 2008, Cambodia's counter-terrorism laws were among the most comprehensive in the region. The recently adopted Law on Counter-Terrorism and Law on the Prevention of Money-Laundering and Financing of Terrorism established all relevant offences and introduced appropriate mechanisms in accordance with Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and other international instruments. The Government had also set up a multi-agency National Counter-Terrorism Committee with a permanent secretariat of its own.

66. His Government was strongly committed to working with all security partners to strengthen counter-terrorism capacities and to enhance cooperation and information-sharing. It had entered into cooperative agreements for that purpose with a number of countries, in addition to its membership of ASEAN and ASEANAPOL. In August 2009, the Government had organized a regional workshop in Phnom Penh with all the ASEAN countries to discuss the security challenges associated with terrorism in South-East Asia.

67. **Mr. Barriga** (Liechtenstein) said that his Government strongly condemned all acts of terrorism, irrespective of their motivation. It was committed to contributing to the fullest extent to the international fight against terrorism, including through cooperation with the relevant United Nations bodies. Liechtenstein had ratified all 13 universal counter-terrorism instruments, with their protocols and amendments, and was continuing its dialogue with the Counter-Terrorism Committee.

68. The Sixth Committee should focus on concluding the negotiations on the draft comprehensive convention against terrorism, spending as little time as possible on the ritualistic negotiation of its annual resolution. He commended the efforts of the Coordinator of the draft convention, whose proposal mainly clarified issues relating to the application of international humanitarian law. Her approach was legally sound, politically realistic and the only possible avenue for a compromise. Although the existing counter-terrorism conventions did not use the same language to describe their relationship to international humanitarian law, they clearly excluded acts which would be covered by it, such as acts against military ships or aircraft. The International Convention against the Taking of Hostages explicitly excluded situations of armed conflict, and the International Convention for the Suppression of the Financing of Terrorism, by referring to acts against civilians and non-combatants, recognized that certain acts against combatants were not prohibited under international law. The International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of Acts of Nuclear Terrorism dealt with the issue in the same manner as that proposed by the Coordinator in her version of draft article 18. However, a clarification such as that contained in the compromise proposal would be useful, since it would help to ensure that the future comprehensive convention preserved the integrity of international humanitarian law and was consistent with the existing sectoral conventions.

69. **Mr. Shcherbak** (Russian Federation) said that intensified collective effort was needed to counter the continuing threat of terrorism. The authority of the United Nations and its central coordinating role must be supported, and all Member States must adhere strictly to the principles and norms of international law. His Government was determined to oppose the terrorist threat, which called for more systematic joint action by States, international organizations and civil society. The Global Counter-Terrorism Strategy offered enormous potential in that regard. He also acknowledged the efforts made by the Counter-Terrorism Implementation Task Force to coordinate the work of the various United Nations system agencies concerned and to strengthen cooperation with Member States to help them fulfil their obligations in implementing the Strategy. The potential of the Strategy could be realized in future through effective

national measures by States, fruitful collaboration among themselves and with the relevant international organizations, and greater involvement of civil society in the task of countering terrorism.

70. The initiative proposed some years previously by the Russian Federation to strengthen the partnership between States and business in countering terrorism had developed to embrace the United Nations, the Group of Eight (G-8), the Council of Europe, OSCE and SCO. In April 2009 an international round table had taken place in Moscow on the theme "State and Business Against Terrorism", bringing together representatives of States agencies, private companies and non-governmental organizations within the SCO region.

71. The Security Council and its Counter-Terrorism Committee, together with the committees established pursuant to resolutions 1267 (1999) and 1540 (2004) of the Security Council, were making a significant contribution to the implementation of the Global Counter-Terrorism Strategy. His delegation would continue to rely on the expert work done by CTED, the Monitoring Team of the 1267 Committee and the expert group of the Committee established pursuant to resolution 1540 (2004), and would continue to support their participation in the Counter-Terrorism Implementation Task Force. One of the most important aspects of the Strategy was the regional and subregional work done by international organizations, including the Commonwealth of Independent States, the Collective Security Treaty Organization and SCO, the last of which had adopted a Convention against Terrorism in June 2009.

72. The international legal framework for combating terrorism would undoubtedly be strengthened by the adoption of the draft comprehensive convention, especially if it was adopted by consensus. His delegation would work with all States and groups to find compromise solutions to the remaining unresolved issues.

73. **Ms. Orina** (Kenya) said that there could be no justification whatever for terrorism. Kenya's people had experienced its devastating effects for themselves, and her Government was firmly committed to fighting it. The draft comprehensive convention should be finalized without delay. The Global Counter-Terrorism Strategy and the Counter-Terrorism Implementation Task Force had a key role to play in coordinating anti-terrorism efforts. The Task Force provided invaluable technical assistance to States. It should be placed on an institutional footing and given adequate resources. Open and transparent negotiations should be pursued to resolve outstanding issues relating to the Strategy itself. She acknowledged the positive contribution of UNODC and CTED and welcomed the workshops and training courses conducted in various parts of the world. She urged the United Nations and the international community to assist the Government of Somalia in consolidating its power base and its institutions, so as to contain the threat of terrorist activities within its borders.

74. Kenya had ratified 13 international and 2 African Union instruments against terrorism, and had taken steps to comply with the relevant resolutions, including Security Council resolution 1373 (2001). The measures taken at the national level included the tightening of airport and border security; coordination of security issues with neighbouring States through frontier security committees; training and capacity-building in the security agencies; the introduction of central bank mechanisms to control suspect flows of finance; work on new legislation on the activities of refugees and non-governmental organizations and on mutual legal assistance; public awareness campaigns on terrorism; and information-sharing with regional and global partners such as the East African Community and ESAAMLG.

75. **Mr. Omaish** (Jordan) said that his country condemned all terrorist acts in all their forms and rejected any attempt to connect any particular religion or group with terrorism. To eradicate terrorism, security measures were not enough in themselves; the underlying political, economic and social factors must be addressed, and every precaution taken to guarantee respect for human rights and the rule of law. His Government supported the Global Counter-Terrorism Strategy. As for the draft comprehensive convention, the Coordinator's proposed paragraph 5 in article 18, and her statements on the linkage between international humanitarian law and the rules in the draft convention, merited serious consideration. At home, his Government had introduced an anti-terrorism law and a stricter border security system, and had instructed all its banks to comply with the relevant Security Council resolutions. It welcomed the initiative by Saudi Arabia to establish an international centre to counter terrorism, and supported the proposal to convene a high-level

conference on counter-terrorism under the auspices of the United Nations.

76. **Ms. Bichet-Anthamatten** (Switzerland) reiterated her country's vigorous condemnation of terrorism in all its forms. Switzerland was co-sponsoring the international workshop of national counter-terrorism focal points which was about to take place in Vienna. The workshop would be an opportunity for the focal points to exchange information and good practice with representatives of the United Nations, international and regional organizations and civil society.

77. The lack of progress in finalizing the draft comprehensive convention on international terrorism was regrettable. She urged Member States to play a constructive part in the negotiations on the draft text. She reiterated her delegation's support for the Coordinator's proposed version of article 18, in so far as it preserved the integrity of international humanitarian law, and on condition that it was considered in its entirety. Respect for the rule of law and human rights enhanced the legitimacy of anti-terrorist measures.

78. **Ms. Negm** (Egypt) reiterated her country's condemnation of terrorism in all its forms and manifestations. Terrorism should not be associated with any particular religion or culture. The root causes of terrorism and the conditions conducive to its spread must be addressed by eliminating conflict, ending foreign occupation, recognizing the right of peoples to self-determination, curbing State terrorism and avoiding double standards.

79. The Global Counter-Terrorism Strategy had strengthened international cooperation in combating terrorism. She expressed appreciation of the efforts of the United Nations and its specialized agencies, and stressed the need to analyse potential weaknesses in securing maritime and aviation traffic and public facilities. The draft comprehensive convention on international terrorism, once finalized, would complete the international legal framework for combating terrorism. The negotiations on article 18 of the draft convention needed to be intensified. In particular, draft paragraph 2 should be reviewed in order to draw a distinction between terrorist acts and acts carried out by national liberation movements in the exercise of their right to self-determination.

80. She supported the convening of an international conference against terrorism under the auspices of the United Nations, with a view to producing a definition of terrorism that would differentiate between the legal rules on countering terrorism and international humanitarian law.

81. **Mr.** Majeev Singh **Puri** (India) said that terrorism remained a major threat to the international community and to humanity. India continued to be a victim of terrorism, not least through the terrorist attacks in Mumbai in November 2008. India had become a party to all 13 sectoral instruments against terrorism. It had entered into several bilateral treaties on combating terrorism, organized crime, money-laundering, terrorist financing and illicit drug trafficking, as well as many treaties on extradition and mutual legal assistance in criminal matters. It had also updated its Unlawful Activities Prevention Act of 1967, incorporating a mechanism to enforce the measures against designated individuals and entities laid down by the 1267 Committee. No more time should be lost in finalizing and adopting the draft comprehensive convention on international terrorism.

82. **Ms. Sahussarungsi** (Thailand) said that her country unequivocally condemned terrorism in all its forms. She welcomed the outcome, in September 2008, of the first biennial review of the implementation of the Global Counter-Terrorism Strategy. Concerning the draft comprehensive convention on international terrorism, the text should include a clear definition of terrorism, and especially of the conditions conducive to terrorism. That would accommodate the need to recognize the legitimate struggle of peoples against foreign occupation. The right of self-determination should be understood and interpreted in accordance with the Vienna Declaration and Programme of Action adopted in June 1993. As for article 18 of the draft, she endorsed the text proposed by the Coordinator, which offered a good balance between the scope of the draft convention and the existing scope of application of international humanitarian law. Draft article 18 should be considered as a whole and should be read in conjunction with draft article 2. The convention would result in criminal responsibility for individuals on the basis of an "extradite or prosecute" regime, and it would be useful for States to be given legislative guidance by the United Nations when incorporating its provisions into domestic law. The concept of State terrorism was extraneous to the convention and should not be included in it.

83. In terms of regional cooperation, Thailand had ratified the ASEAN Convention on Counter-Terrorism, which harmonized anti-terrorist legislation among the member States of ASEAN and imposed obligations to promote a culture of peace, to ensure the rehabilitation and social reintegration of persons involved in the commission of terrorist acts, and to tackle the root causes of terrorism. Implementation of the Convention would be facilitated by the ASEAN Comprehensive Plan of Action on Counter-Terrorism. The ASEAN Treaty on Mutual Legal Assistance in Criminal Matters, and the possible conclusion of an ASEAN extradition treaty, would provide ASEAN with a consolidated legal framework for cooperation in the fight against terrorism and transnational crime.

The meeting rose at 6 p.m.